

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)	<u>UNDER SEAL</u>
)	
v.)	1:18-mj- 172
)	
ANTHONY CARL EDWARDS MARTIN,)	
)	
Defendant.)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Betty Sixsmith, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a detective with the Alexandria Police Department (the "APD") and a task force officer with the Federal Bureau of Investigation's Child Exploitation Task Force. I have been a police officer for nineteen years and, for the past fourteen years, I have been assigned to the APD's Criminal Investigations Section. During this time, I have investigated numerous crimes, including sex crimes, computer crimes, and child exploitation crimes. I have training in criminal investigations at the Northern Virginia Police Academy and the Fairfax County Police Academy. As a task force officer, I am authorized to investigate violations of the laws of the United States and I have authority to execute federal warrants.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant charging ANTHONY CARL EDWARDS MARTIN with using a facility or means of interstate or foreign commerce to knowingly persuade, induce, entice, or coerce an individual who has not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, in violation of 18 U.S.C. § 2422(b).

3. The facts and information contained in this affidavit are based upon my personal knowledge of the investigation and information obtained from other state and federal law enforcement officers. All observations not personally made by me were relayed to me by the individuals who made them or are based on my review of reports, documents, and other physical evidence obtained during the course of this investigation. Unless otherwise indicated, where the statements of others are related herein, they are related in sum and substance and not verbatim.

4. This affidavit contains information necessary to support probable cause and has been prepared only for the purpose of obtaining a criminal complaint and arrest warrant. Therefore, it contains neither all of the information known to me concerning the offense nor every fact learned by the government during the course of its investigation thus far.

RELEVANT FEDERAL CRIMINAL STATUTES

5. Title 18, United States Code, section 2422(a) prohibits a person from knowingly persuading, inducing, enticing, or coercing any individual to travel in interstate or foreign commerce to engage in any sexual activity for which any person can be charged with a criminal offense, or attempting to do so.

6. Title 18, United States Code, section 2422(b) prohibits a person from using any facility or means of interstate or foreign commerce to persuade, induce, entice, or coerce any individual who has not attained the age of 18 years to engage in any sexual activity for which any person can be charged with a criminal offense, or attempting to do so.

7. Title 18, United States Code, section 2423(a) prohibits a person from knowingly transporting an individual who has not attained the age of 18 years in interstate or foreign commerce with intent that the individual engage in any sexual activity for which any person can be charged with a criminal offense.

8. Title 18, United States Code, section 2423(b) prohibits a person from traveling in interstate commerce for the purpose of engaging in any illicit sexual conduct with another person.¹

9. Title 18, United States Code, section 2251(a) prohibits a person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, if (a) such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, (b) that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or (c) such visual depiction has actually been transported or transmitted using any means of interstate or foreign commerce or in or affecting interstate or foreign commerce.

FACTUAL BASIS SUPPORTING PROBABLE CAUSE

Origins and Evolution of MARTIN's Online Relationship with Minor Victim #1

10. Since August 2017, I have had multiple conversations with a female juvenile ("Minor Victim #1" or "C.N."), during which she described her interactions with ANTHONY CARL EDWARDS MARTIN, who she says that she first communicated with in or around December 2016 via Kik Messenger ("Kik"), an instant messaging mobile application. At this time, Minor Victim #1 was living in Alexandria, Virginia. Her understanding was that MARTIN resided elsewhere, either in Florida or Ohio. Although she was in fact 15 years old at the time,

¹ The term "illicit sexual conduct" means, among other things, a sexual act with a person under 18 years of age that would be in violation of chapter 109A of Title 18, United States Code, if the sexual act occurred in the special maritime and territorial jurisdiction of the United States.

Minor Victim #1 told MARTIN that she was 16 years old. According to Minor Victim #1, MARTIN said that he was 19 years old.

11. Minor Victim #1 explained that, not long after they began communicating, the two began an online relationship. Minor Victim #1 reported that her online relationship with MARTIN included telephone conversations, texting, video chatting, and messaging using Kik, Facebook, and Snapchat, an image messaging and multimedia mobile application. Minor Victim #1 said that she and MARTIN considered each other boyfriend and girlfriend.

12. Eventually, Minor Victim #1 stated, she and MARTIN began to talk about sex. Minor Victim #1 further explained that, in or around late 2016 or early 2017, MARTIN began sending her photographs of his penis.

13. In August 2017, Minor Victim #1 provided consent to the APD to conduct a forensic examination of the cellular phone she was using at the time (hereinafter referred to as "Phone #1"). I have reviewed the contents of the device, including photographs that Minor Victim #1 purports depict MARTIN's penis.

14. According to Minor Victim #1, after she and MARTIN began "sexting," he asked her to send him naked photographs of herself, to include her breasts and vagina, and Minor Victim #1 complied.

15. Minor Victim #1 said that, while she and MARTIN were video chatting, they would have sexual interactions with one another. At times, she said, MARTIN asked her to expose her breasts and to masturbate as he watched. She believed that MARTIN was masturbating during these encounters. Initially, Minor Victim #1 explained, she resisted, only eventually complying out of fear that MARTIN would leave her if she did not do as he asked.

Minor Victim #1 reported that this activity occurred in or around January 2017, when she was still 15 years old.

16. In January 2018, Minor Victim #1 provided consent to the APD to conduct a forensic examination of a cellular phone that she was using in March 2017 (hereinafter referred to as “Phone #2”). Among the data recovered from that device is a string of deleted Kik messages between username “thisisthenewme14,” the owner of which is Minor Victim #1,² and username “spadecrush,” the owner of which is listed as “ACE Spades.” My review of information subpoenaed from Kik revealed that the email address registered to the “spadecrush” account is antmartin0520@gmail.com.

17. On December 1, 2017, the Honorable John F. Anderson, United States Magistrate Judge for the Eastern District of Virginia, issued a search warrant for the contents of MARTIN’s Facebook account. Based on my review of information returned by Facebook pursuant to that warrant, I learned that one of the four email addresses registered to MARTIN’s account is antmartin0520@gmail.com. During the course of my investigation, I further learned that MARTIN’s ex-girlfriend, K.C., often calls MARTIN by the nickname “Ant.” For these reasons, I believe that MARTIN is the owner of the “spadecrush” Kik account.

18. On March 1, 2017, “thisisthenewme14” wrote to “spadecrush,” “Yoo when u gonna get me.” In response, “spadecrush” wrote, “I think you wanna fuck lol.”

19. On March 2, 2017, Minor Victim #1, using the “thisisthenewme14” account, sent to “spadecrush” at his request photographs of her exposed breasts and labia.³ At one point,

² Minor Victim #1’s name is listed as the account’s owner in the metadata associated with the deleted string of messages.

³ The images themselves were successfully deleted and, therefore, not recoverable from Phone #2. However, that Minor Victim #1 sent photographs to “spadecrush,” and what those photographs depicted, is clear from the content and context of the deleted messages recovered.

“spadecrush” wrote that “these pics getting me hard and shit.” Their conversation continued as follows:

8:56 p.m.	thisisthenewme14:	“[You] [g]onna see [my vagina] in real life”
8:59 p.m.	spadecrush:	“And maybe more than see lol”
9:00 p.m.	thisisthenewme14:	“Yeah”
9:01 p.m.	spadecrush:	“I’m going in as soon as I pick you up”
9:01 p.m.	thisisthenewme14:	“Lmao”
9:01 p.m.	thisisthenewme14:	“Lmao people say high sex is so good”
9:02 p.m.	spadecrush:	“I’m bringing weed to lol”

MARTIN’s First Trip to Virginia to See Minor Victim #1

20. Minor Victim #1 said that, on or about March 3, 2017, MARTIN drove from Ohio to meet her. Minor Victim #1 told MARTIN that she had run away from home and asked him to come pick her up.

21. According to Minor Victim #1, MARTIN met her at a hotel room in Northern Virginia that a friend—whose first name is “Mike” and whose last name she does not know—helped her rent. At the time I spoke with her about this encounter, Minor Victim #1 could not recall the name of the hotel where it occurred.

22. The deleted Kik messages between “thisisthenewme14” and “spadecrush” corroborate Minor Victim #1’s account of MARTIN’s March 2017 trip from Ohio to see her. On March 3, 2017, at 7:31 a.m., “spadecrush” sent “thisisthenewme14” a message reading, in part, “I’m in Ohio working” At 8:04 a.m., “spadecrush” sent another message reading, “Ya but where we stay from our address to you would be 7hrs.”

23. Later that day, the two accounts engaged in the following back-and-forth:

4:56 p.m.	spadecrush:	"We leaving shortly"
4:56 p.m.	thisisthenewme14:	"Okie"
4:58 p.m.	spadecrush:	"I'll see you tonight"
5:07 p.m.	thisisthenewme14:	"Okay what time"
5:13 p.m.	spadecrush:	"Prob 11 maybe 12 depending on how fast we can drive"

24. While "spadecrush" was en route to Virginia, "thisisthenewme14" sent the following message at 10:26 p.m.: "My friends mom who works at a hotel said she can let me stay in the room for a couple ours till u guys come and get me." Later that night, "thisisthenewme14" inquired about whether "spadecrush" wanted to stay in the hotel. When "spadecrush" expressed reservations about spending the night, as opposed to just coming in for a bit, "thisisthenewme14" wrote, "Okay yeah it's cause my friend paid for it lol." In response, "spadecrush" stated, "Oh shit wtf lol damn well I would but idk if we can I'll cuddle you for a bit tho." At 12:39 a.m., on March 4, 2017, "thisisthenewme14" sent "spadecrush" an address: "7212 Richmond Hwy, Alexandria, VA." That is the address for the Quality Inn Mount Vernon.

25. During the course of my investigation, I was able to identify the individual that Minor Victim #1 knows only as "Mike." I spoke with this person, who confirmed that Minor Victim #1 contacted him in or around March 2017, seeking a place to stay until her "cousin" came to pick her up. This individual further verified that he rented a room for Minor Victim #1 at the Quality Inn Mount Vernon. The next day he communicated with Minor Victim #1, who advised him that her "cousin" had picked her up from the hotel and that they were traveling together to Ohio.

26. I asked Minor Victim #1 about her March 2017 encounter with MARTIN at the hotel. According to Minor Victim #1, she and MARTIN had oral and vaginal sex in a room there.

27. Minor Victim #1 said that she and MARTIN had discussed having sex prior to this encounter and that he had specifically mentioned wanting to have sex with her. Banter between the “spadecrush” and “thisisthenewme14” Kik accounts, as described in paragraphs 18 and 19 above, corroborates this. So too does the following back-and-forth, which occurred while “spadecrush” was en route to Virginia:

10:16 p.m.	thisisthenewme14:	“Lmao dick”
10:16 p.m.	spadecrush:	“What about it”
10:17 p.m.	thisisthenewme14:	“U wanna give me dick?”
10:20 p.m.	spadecrush:	“Maybe lol”
10:20 p.m.	thisisthenewme14:	“Lol”
10:20 p.m.	spadecrush:	“I’m saying you can get it”

28. After they had sex, Minor Victim #1 explained, she and MARTIN left the hotel room and entered a vehicle being driven by an adult male, A.T., who MARTIN referred to as his brother but who was, in fact, just his friend. Thereafter, the three of them drove back to Ohio.

29. After arriving at MARTIN’s residence in Fairborn, Ohio, Minor Victim #1 learned that MARTIN had two children and that his ex-girlfriend, K.C., who was pregnant with MARTIN’s child, still lived with MARTIN. Minor Victim #1 also learned that MARTIN was actually 26 years old.

30. The first two days after Minor Victim #1 arrived, K.C. was not at the residence. During this time, Minor Victim #1 slept in MARTIN’s bedroom. Minor Victim #1 said that she and MARTIN kissed one another, and on one or two occasions, MARTIN penetrated Minor

Victim #1's vagina with his fingers. When K.C. returned, she slept in MARTIN's bedroom; Minor Victim #1 was relegated to the couch or the children's bedroom.

31. The aforementioned deleted Kik messages recovered from Phone #2 corroborate that Minor Victim #1 and MARTIN engaged in sexual activity with one another after Minor Victim #1 arrived in Ohio. On March 9, 2017, Minor Victim #1, using the "thisisthenewme14" Kik account, sent "spadecrush" a photograph of her exposed breasts and a photograph of her exposed labia. Immediately thereafter, "spadecrush" and "thisisthenewme14" engaged in the following conversation:

1:28 a.m.	spadecrush:	"You so sexy I wanna be in you"
1:29 a.m.	thisisthenewme14:	"I want u inside me so bad baby"
1:29 a.m.	spadecrush:	"Your pussy look wet af why didn't you open it for me"
1:29 a.m.	thisisthenewme14:	"I'll do it now baby"

At this point, Minor Victim #1, using the "thisisthenewme14" Kik account, sent "spadecrush" a video of her spreading her labia with her fingers and inserting a finger into her vagina. I located this video on Phone #2. The conversation between the two Kik accounts proceeded as follows:

1:32 a.m.	spadecrush:	"I want some"
1:32 a.m.	thisisthenewme14:	"U can have some"
1:32 a.m.	spadecrush:	"Hopefully she will go to work tm and I can fuck you while she gone lol"

Later that morning, at 6:20 a.m., "spadecrush" sent "thisisthenewme14" a message reading, "We gotta make sure you don't get pregnant tho with as much as we fuck."

32. On November 27, 2017, I interviewed a female juvenile ("Minor Victim #2"), who is an acquaintance of Minor Victim #1. Minor Victim #2 corroborated Minor Victim #1's account of her trip to Ohio with MARTIN.

33. Minor Victim #2 remembered participating in Facebook video chats with Minor Victim #1 during this time, and she specifically recalled that, at first, Minor Victim #1 appeared to be chatting from MARTIN's bedroom, given that she could see MARTIN asleep behind Minor Victim #1. Thereafter, however, Minor Victim #2 said that Minor Victim #1 appeared to be chatting from MARTIN's children's bedroom. Minor Victim #2 further stated that, although she has never met MARTIN in person, she periodically participated in group chats with MARTIN and Minor Victim #1.

34. On or about March 12, 2017, law enforcement officers responded to a report of a domestic disturbance at MARTIN's residence. The officers discovered that Minor Victim #1 had been reported as a missing child in Virginia and that she had an outstanding probation violation warrant.⁴ Minor Victim #1 was taken into custody, detained, and eventually extradited to Virginia on or about March 25, 2017.

35. There is evidence that, by the time law enforcement officers showed up at MARTIN's home on March 12, MARTIN knew Minor Victim #1 was very young. Among the records returned by Facebook pursuant to the aforementioned search warrant for MARTIN's account are messages exchanged between MARTIN and K.C., including messages in which they are arguing about Minor Victim #1. On March 4, 2017, K.C. sent MARTIN a message saying, "I know she ain't 16" MARTIN responded by sending K.C. a photograph of what MARTIN described as Minor Victim #1's "school transfer papers or whatever," including "her name and birthday." Thereafter, MARTIN told K.C. that Minor Victim #1 was 16 years old, but

⁴ In January 2016, when she was 14 years old, Minor Victim #1 pled guilty to making a false police report stemming from her allegation, later proven to have been fabricated, that a classmate had sex with her against her will.

the document appearing in the photograph he sent to K.C. includes Minor Victim #1's true name and birthdate, the latter of which establishes that, as of March 2017, she was 15 years old.⁵

36. Additionally, the Kik messages exchanged between "spadecrush" and "thisisthenewme14" reflect that MARTIN knew Minor Victim #1 was 15 years old. On March 3, 2017, at 7:34 a.m., before MARTIN left Ohio, "spadecrush" wrote, "This ain't a set up right," and then, in response to a question from "thisisthenewme14" about why he was concerned about the "cops," he messaged, "Because you young lol trying to leave the state."

37. Later, after Minor Victim #1 was in Ohio with MARTIN, "spadecrush" and "thisisthenewme14" discussed their relationship in light of MARTIN's relationship with K.C. On March 8, 2017, at 11:17 p.m., "spadecrush" wrote, "I'm saying until we can figure out how to get past [K.C.] and certain laws we have to be low key." At 11:28 p.m., "thisisthenewme14" responded, "it's legal in Ohio once ur 16 ur aloud to date anyone over 18 I saw it" Significantly, Minor Victim #1 was approximately nine weeks away from turning 16 years old.

MARTIN's Second Trip to Virginia to See Minor Victim #1

38. On or about March 27, 2017, Minor Victim #1 appeared in the Fairfax County Juvenile and Domestic Relations District Court for a hearing, during which the court appointed a guardian ad litem and ordered Minor Victim #1 to report to Shelter Care. While Minor Victim #1's guardian ad litem was walking Minor Victim #1 over to the Shelter Care facility adjacent to the courthouse, Minor Victim #1 fled.

39. After absconding, Minor Victim #1 called MARTIN and asked him to come get her. Eventually, MARTIN and K.C. arrived and picked up Minor Victim #1 from Minor Victim

⁵ In a subsequent Facebook message sent to K.C. on May 3, 2017, which was before Minor Victim #1's 16th birthday, MARTIN wrote, "now you want me because you think I want a 15yr old"

#1's friend's house in Fairfax County, Virginia, after which MARTIN, K.C., and Minor Victim #1 all drove back to Ohio.

40. During her second trip to Ohio, Minor Victim #1 explained, she and MARTIN kissed one another, and again, on one or two occasions, he penetrated her vagina with his fingers. Minor Victim #2 confirmed that, as far as she understood, Minor Victim #1 had made a second trip to Ohio with MARTIN.

41. On or about April 3, 2017, law enforcement officers in Fairborn, Ohio, again found Minor Victim #1 at MARTIN's residence and took her into custody. On or about April 21, 2017, she was extradited to Virginia.

42. In April 2017, at some point after Minor Victim #1 was taken into custody, MARTIN and K.C. were interviewed by officers with the Fairborn Police Department. During their conversation, the audio recording of which I have listened to, MARTIN admitted that he and A.T. picked up Minor Victim #1 from Virginia on or about March 3, 2017. Additionally, during the same conversation, MARTIN admitted that he and K.C. retrieved Minor Victim #1 from Virginia "the second time"—*i.e.*, on or about March 27, 2017.

43. After she was taken into custody, Minor Victim #1 was interviewed by a counselor with a local child advocacy center on April 6 and April 17, 2017. During the interviews, Minor Victim #1 answered some of the questions posed to her untruthfully. More specifically, she acknowledged that MARTIN had twice brought her to Ohio from Virginia, but claimed that MARTIN is her cousin, when in fact he is not. Additionally, she falsely stated that she does not use drugs, when I know her to smoke marijuana. Minor Victim #1 also falsely maintained that she had not exchanged any illicit photographs with MARTIN. Finally, she was not completely truthful about the underlying case for which she was on probation, telling the

counselor that the judge had found her guilty but stating that she was actually innocent of making a false police report.

Minor Victim #1's Return to Virginia and Creation of Joint Facebook Account

44. Upon her return to Virginia, Minor Victim #1 continued her online relationship with MARTIN, which included video chatting and the exchange of photographs via the internet. It was at approximately this time, Minor Victim #1 said, that she and MARTIN created a secondary Facebook account with a username consisting of her first name and his last name (hereinafter referred to as the "joint Facebook account"). Minor Victim #1 explained to me that she and MARTIN could log into the account at the same time and chat with each other. Although the resulting conversation had the appearance of being one continuous monologue by the joint Facebook account's user, it in fact included messages from both of them.

45. Minor Victim #1 showed me on Phone #1 the profile picture associated with the joint Facebook account, and I was able to confirm that the picture contains an image of Minor Victim #1 and an image of MARTIN, thus reflecting the dual ownership nature of the account. Additionally, I have seen on Phone #1 screenshots of a conversation between Minor Victim #1's account and the joint Facebook account over Facebook Messenger, Facebook's instant messaging service.

46. On December 1, 2017, the Honorable John F. Anderson, United States Magistrate Judge for the Eastern District of Virginia, issued a search warrant for the contents of the joint Facebook account. Based on my review of records returned by Facebook, I have confirmed that there are, in fact, conversation threads that have the appearance of being one continuous monologue by the joint Facebook account's user but that seem, based on the content of the messages, to consist of two different people communicating with one another.

MARTIN's Third Trip to Virginia to See Minor Victim #1 and Creation of Sex Tape

47. In June 2017, according to Minor Victim #1, MARTIN expressed his desire to come to Virginia to see her but said that he needed money to help pay for a bus ticket. Minor Victim #1, who by this point had turned 16 years old, said that MARTIN gave her instructions regarding how to transfer him money, and that she subsequently transferred him \$200.

48. I found on Phone #1 a receipt for a \$203.50 roundtrip Greyhound bus ticket departing from Dayton, Ohio, on June 17, 2017, and returning from Springfield, Virginia, on June 22, 2017. The passenger's name on the receipt is "Anthony Martin." Records subpoenaed from Greyhound confirm that, on June 15, 2017, a purchaser by the name of "Anthony Martin" used a MasterCard credit card with a Fairborn, Ohio billing address to buy the aforementioned bus ticket. Additionally, Phone #1 contains a screenshot of Greyhound's "Bustracker" website showing that, on June 18, 2017, the bus would be arriving in Springfield, Virginia, slightly behind schedule.

49. Minor Victim #1 said that she used a peer-to-peer ride sharing service to travel to the Greyhound station in Springfield, Virginia, to retrieve MARTIN upon his arrival on June 18, 2017. Thereafter, she stated, they traveled to a hotel located at 110 S. Bragg St. in Alexandria, Virginia. Because MARTIN claimed not to have enough money to rent a room, Minor Victim #1 went to the nearby store and used an ATM to withdraw cash, which she subsequently gave to MARTIN, who she said proceeded to get a room in his name.

50. In September 2017, I went to the Days Inn located at 110 S. Bragg St. and asked the manager for records pertaining to MARTIN's stay there in June. Initially, the manager was unable to locate the documents, but he eventually determined that the rental had been entered under "Anthony Carl Edwards," rather than MARTIN's full name, Anthony Carl Edwards

Martin. The manager provided me with the paperwork pertaining to MARTIN's rental, which reflects that MARTIN checked in on June 18, 2017, and checked out on June 22, 2017, consistent with his Greyhound bus ticket.⁶

51. Among the records that the Days Inn manager provided was a photocopy of MARTIN's Florida driver's license. The signature on the driver's license appears to match the signature on the hotel's registration form. MARTIN's birth date on the driver's license is consistent with somebody who, as of June 2017, was 26 years old. The photograph on the driver's license is of a black male and is consistent in appearance with other photographs of MARTIN that I have seen, including photographs accompanying police reports and profile pictures associated with his Facebook account.

52. According to Minor Victim #1, after MARTIN checked in on June 18, 2017, she stayed with him only briefly before returning to her mother's house. The next day, however, Minor Victim #1 said that she skipped school and went to the hotel. Minor Victim #1 said that she smoked marijuana with MARTIN and that it made her tired. While she was trying to sleep, MARTIN was participating in numerous heated telephone conversations with K.C. Minor Victim #1 complained that MARTIN was preventing her from sleeping, which she said only further provoked his ire. According to Minor Victim #1, MARTIN directed her to be quiet, ordered her to stand up, and then proceeded to have vaginal intercourse with her.

53. While they were having sex, MARTIN was behind Minor Victim #1, such that she could not readily see him. At some point, she looked back and saw that MARTIN had been

⁶ Adjacent to one another at 110 S. Bragg St. is a Days Inn and a Super 8 motel. It is my understanding that Days Inn and Super 8 are hotel brands owned by the same parent company, Wyndham Hotel Group. The paperwork provided by the Days Inn manager is on Super 8 motel letterhead. That is because, according to the manager, the room that MARTIN rented was on the Super 8 side of the complex.

recording the sex act with his cellular phone. According to Minor Victim #1, she did not consent to being videotaped.

54. I have reviewed the aforementioned video, which was on Phone #1.⁷ The video shows a black male engaging in vaginal sex with a white female positioned on her hands and knees on a bed. The pattern on the bed's duvet cover matches the pattern of the duvet covers at the Super 8 motel. While neither individual's face is visible, Minor Victim #1 explained to me that the female is her and that the male is MARTIN. The female's voice, which can be heard in the video's audio, is consistent with Minor Victim #1's voice. Moreover, there is distinctive scarring visible on the black male's left forearm.

55. Among the records returned by Facebook for MARTIN's account are messages exchanged between MARTIN and K.C. in January 2017 in which MARTIN professes to be depressed and engaging in an attempt to kill himself by bleeding out from self-administered cuts to his left forearm. In the course of his conversation with K.C., MARTIN transmitted several photographs of his bloodied left forearm positioned over what appears to be a paint can. The cuts on MARTIN's left forearm visible in these photographs are consistent with the scarring seen on the black male's left forearm in the aforementioned video as well as with scarring seen on MARTIN's left forearm in photographs located within the return for his Facebook account.

⁷ Metadata associated with the video does not reflect how or when it wound up on Phone #1. During an interview of her, Minor Victim #1 explained that she received the video directly from MARTIN as well as from Minor Victim #2. According to Minor Victim #1, MARTIN sent the video to Minor Victim #2 via Facebook Messenger, and that at some point thereafter Minor Victim #2 transmitted the video to her. It should be noted that Minor Victim #2, who I interviewed in the presence of her parents, denied having received a sex tape from MARTIN. Further, neither the return for MARTIN's Facebook account nor the return for Minor Victim #2's Facebook account, which was obtained pursuant to a search warrant issued by the Honorable John F. Anderson, United States Magistrate Judge for the Eastern District of Virginia, on December 1, 2017, reflect the video's transmittal.

56. Facebook conversations between Minor Victim #1's account and the joint Facebook account reflect the aforementioned encounter at the Super 8 motel. One message from Minor Victim #1's account mentions "when we fucked when you came to see me," and one message from the joint Facebook account later on in the same conversation states, "You know what I still have that fuck video."

57. Minor Victim #1 told me that, at some point on June 19, 2017, before or after MARTIN recorded them having sex, MARTIN became angry with her and threw her out of the hotel room. Minor Victim #1 said that, because MARTIN locked her out of the room with all of her belongings inside, she asked the hotel manager to help her get back into the room. According to Minor Victim #1, the manager accompanied her back to the room and convinced MARTIN to let her in.

58. When I spoke with the manager in September, I asked him if he had any recollection of these events. He immediately remembered helping Minor Victim #1 get back into the room, explaining that he was unaware that she was a juvenile but recalling that she looked young. The manager said that, approximately four hours after MARTIN allowed Minor Victim #1 back into the room, he saw the two of them leaving the room and walking hand-in-hand.

Additional Evidence

59. Minor Victim #1 said that, when MARTIN came to Virginia in June 2017, he originally wanted to have a "threesome" with her and another female. Minor Victim #2 told me that MARTIN, using Facebook, solicited her for sex and specifically asked her to participate in a "threesome," which she declined. At the time, Victim #2 was 16 years old.

60. Minor Victim #1 reported that, after he returned to Ohio, MARTIN stopped talking to her. Fed up with his treatment of her, Minor Victim #1 told MARTIN that their relationship was over and that she had started seeing someone else.

61. According to Minor Victim #1, this made MARTIN very angry. In or around August 2017, Minor Victim #1 said, MARTIN communicated to her threatening messages, implying that harm would come to her from him or somebody else.⁸

62. Among the records returned by Facebook for the joint Facebook account—to which, Minor Victim #1 claims, MARTIN maintained access at the time—is a string of messages from August 2017 that, although they all have the appearance of coming from one user, rather clearly reflect a conversation between two people. On August 26, 2017, the joint Facebook account sent a message reading, “Lmao but that video tho you still keeping it y lol [emoji] but ok congrats just remember bf or not I still owned that pussy lol.” The subsequent message reads:

You no bf or not I’m gonna keep fucking with you and when I come back to VA I’m gonna fuck again because that’s how we rocking no matter how much attention he gives again that ass still mine say no all you want to you know what’s up as many times as I’ve busted that pussy and ass wide open and made you run from this dick and tongue so again sooner or later you’ll miss the deep dick being in your stomach making you bite yo lip lol smh

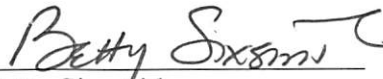
CONCLUSION

63. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that, between on or about March 1, 2017, and on or about March 9, 2017, in Alexandria, Virginia, within the Eastern District of Virginia, and elsewhere,

⁸ In September 2017, Minor Victim #1, using the joint Facebook account, communicated with K.C. During the course of their conversation, Minor Victim #1 wrote, “You and your husband are going down and my bfs dad is a fbi agent he made sure this is number one in there cases he’s going to jail have fun.” To the best of my knowledge, nobody at the FBI working on this case is related to Minor Victim #1 or her boyfriend at the time.

ANTHONY CARL EDWARDS MARTIN used a facility or means of interstate or foreign commerce—namely, Kik Messenger—to knowingly persuade, induce, entice, or coerce an individual who he believed had not attained the age of 18 years—namely, C.N., who was 15 years old—to engage in any sexual activity for which any person can be charged with a criminal offense, including, but not limited to, Va. Code § 18.2-371 (prohibiting any person 18 years of age or older from engaging in consensual sexual intercourse with a non-spouse child 15 years of age or older), in violation of 18 U.S.C. § 2422(b). I respectfully request that this Court issue a warrant for MARTIN's arrest.

Respectfully submitted,



Betty Sixsmith

Detective, Alexandria Police Department

Task Force Officer, Federal Bureau of Investigation

Subscribed and sworn before me

This 4th day of April, 2018

Michael S. Nachmanoff 

United States Magistrate Judge

The Honorable Michael S. Nachmanoff

United States Magistrate Judge